

Monday, May. 02, 2011

[0 Comments](#)

Franklin County fights release of info to inmate

By KRISTI PIHL

<http://www.tri-cityherald.com>

KENNEWICK, Wash. A lengthy battle over whether Franklin County must release personal information and personnel records about county jail employees will be considered by the state Court of Appeals on May 13.

The county is fighting prison inmate Allan Parmelee, a convicted arsonist, who has filed multiple public records requests with the county during the past several years.

Parmelee is known statewide for filing public records requests to apparently harass judges, lawyers and corrections officers. He claims he wants the records because he's a freelance journalist investigating corruption.

The county is arguing that Parmelee's requests are harassment in violation of the purpose of the state's Public Records Act, according to court documents. State law allows the courts to permit agencies to refuse to release documents with such requests.

Franklin County responded to the first two requests from Parmelee, which included one for the jail employee roster. But then, Parmelee submitted 34 more requests specifically naming each employee on the roster and asking for their personal and personnel records, according to court documents.

Parmelee, who is acting as his own attorney, claims in court documents that he frequently writes articles about prisons, jails and the government. He also said only his identity as a requester should be considered, not the fact that he is an inmate.

Instead of releasing the information, Franklin County went to Franklin County Superior Court and got a preliminary injunction against Parmelee in October 2008. But the court also said it wouldn't consider Parmelee's identity in deciding whether to make that injunction permanent.

A final decision still hasn't been made.

Franklin County appealed in March 2009, asking to overturn the ruling that Parmelee's identity couldn't be considered when deciding whether to grant an injunction.

The county argues that although agencies can't consider the identity of a requester when answering a records request, there is nothing that prevents the court from doing so when considering whether to allow records to be withheld.

Parmelee argues the court can't consider who he is when deciding whether to allow the county to withhold the personnel records. He also is asking the Court of Appeals to award penalties under the records act for not responding to the requests he's made to the county.

The county's response was that Parmelee's request was premature because there has yet to be a final decision about the records.

At the time of the records requests, Parmelee was imprisoned at Aberdeen's Stafford Creek Corrections Center because of a 2004 conviction for two counts of first-degree arson, according to court records. He was sentenced to 24 years in prison for firebombing cars owned by two attorney who had opposed him and an acquaintance in court proceedings.

His criminal history also includes a 1999 conviction for stalking, a 1992 conviction for eight counts each of transporting illegal aliens and alien smuggling, and a 1990 conviction for two counts of deceptive practice, according to court documents.

Parmelee is currently at the Washington State Penitentiary in Walla Walla, with his earliest release date in November of 2020.

He claims the county asked for the injunction as "a pre-emptive attack filled with trash talk," because the records allegedly would reveal human rights abuses and corruption.

Parmelee also claims he is an employee of the nonprofit Committee for Government Accountability and submitted the requests as part of "official journalist endeavors," according to court documents.

However, there is no group by that name registered with the state as a nonprofit business. Parmelee says in court documents the organization is owned by Xernon Parmelee, but an online search also did not find that.

Meanwhile, Gov. Chris Gregoire has a bill before her for signature that would limit courts from awarding inmates penalties unless they find a public agency acted in bad faith. The bill reportedly would apply to any case where a final judgment isn't entered.

Information from: Tri-City Herald, <http://www.tri-cityherald.com>

Read more: <http://www.tri-cityherald.com/2011/05/02/1473983/franklin-county-fights-release.html#ixzz1LJn2GK7J>